IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 435 OF 2005
IN
SECOND APPEAL (ST) NO. 372 OF 2005

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

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CORAM: P.V. KAKADE, J.

DATED: 9TH SEPT., 2005

P.C.:

1. Heard advocate for the applicants. None present for the respondent though served.

2. This is an application to condone the delay of 167 days' in preferring the second appeal. After hearing learned counsel for the applicant, it appears that in lower Court he was absent and he only came to know when the decree came to be passed against him and hence he preferred the second appeal. In my view, this is sufficient cause to condone the delay. The application is made absolute in terms of prayer clause (a) and stands disposed of.

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